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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of DEBINSKI, ET AL

Serial No. 09/226,794

Date Filed: January 7, 1999

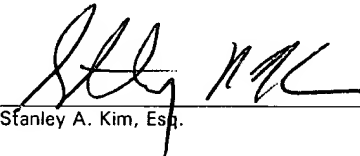


Examiner:

Group: 1643

For: METHOD FOR DIAGNOSIS, IMAGING, AND TREATING TUMORS USING  
RESTRICTIVE RECEPTOR FOR INTERLEUKIN 13

CERTIFICATE UNDER 37 CFR 1.8(a)  
I hereby certify that this correspondence is being  
deposited with the U.S. Postal Service as First Class  
mail in an envelope addressed to the Assistant  
Commissioner for Patents, Washington, D.C. 20231,  
on April 5, 1999.

  
Stanley A. Kim, Esq. Reg. No. 42,730

TRANSMITTAL LETTER

Box Missing Parts  
Asst. Commissioner for Patents  
Washington, DC 20231

Dear Sirs:

Please find enclosed for filing the following documents:

Form PTO-1533 Notice to File Missing Parts of Application;

Declaration;

Verified Statement Claiming Small Entity Status; and

Fee in the amount of \$562.00 (for filing fee and surcharge).

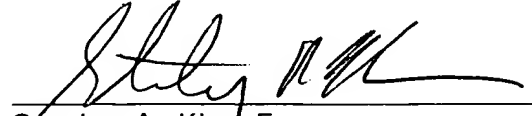
Also enclosed is a postcard to be returned to this office, evidencing receipt  
of the above documents.

Please charge any underpayment or credit any overpayment to Deposit  
Account No. 17-0055. This transmittal letter is submitted in duplicate.

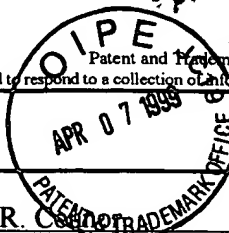
Respectfully submitted,

QUARLES & BRADY LLP

Date: April 5, 1999



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**STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) & 1.27(d))—NONPROFIT ORGANIZATION**

Docket Number (Optional)

6460-4

Applicant, Patentee, or Identifier: Waldemar. Debinski and James R. Cosen

Application or Patent No.: 09/226,794

Filed or Issued: January 7, 1999

Title: METHOD FOR DIAGNOSIS, IMAGING, AND TREATING TUMORS USING RESTRICTIVE RECEPTOR FOR INTERLEUKIN 13

I hereby state that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF NONPROFIT ORGANIZATION The Penn State Research Foundation

ADDRESS OF NONPROFIT ORGANIZATION 304 Old Main

University Park, PA 16802

**TYPE OF NONPROFIT ORGANIZATION:**

- ☐ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
- ☒ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3))
- ☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_)  
(CITATION OF STATUTE \_\_\_\_\_)
- ☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3))  
IF LOCATED IN THE UNITED STATES OF AMERICA
- ☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_)  
(CITATION OF STATUTE \_\_\_\_\_)

I hereby state that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described in:

- ☐ the specification filed herewith with title as listed above.
- ☒ the application identified above.
- ☐ the patent identified above.

I hereby state that rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities and that no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

- ☐ no such person, concern, or organization exists.
- ☐ each such person, concern, or organization is listed below.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING Thomas J. Monahan (Reg. No. 29,835)

TITLE IN ORGANIZATION OF PERSON SIGNING Director, Intellectual Property Office

ADDRESS OF PERSON SIGNING 113 Technology Center, University Park, PA 16802-7000

SIGNATURE [Signature]

DATE 02/23/99